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5589-02305/P688-05

2862

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APP - 3 2003

TECHNOLOGY CENTER 2800

In re Application of:
Levy et al.

§ Group Art Unit: 2862
§ Examiner: Unknown

Serial No. 09/957,468

§ Atty. Dkt. No. 5589-02305

Filed: September 20, 2001

For: METHODS AND SYSTEMS FOR
DETERMINING A CRITICAL
DIMENSION, A PRESENCE OF
DEFECTS, AND A THIN FILM
CHARACTERISTIC OF A SPECIMEN

I hereby certify that this correspondence is being deposited
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D.C. 20231, on the date indicated below:

3/28/03
Date

Pamela Gerik
Pamela Gerik

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant requests consideration of the references listed on the attached Form PTO-1449 and/or the additional information identified below in paragraph 3. A copy of each reference listed on the Form PTO-1449 is enclosed.

1. This Information Disclosure Statement is submitted:

- a. within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
 within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
 before the mailing date of a first Office Action on the merits; or
 before the mailing of a first Office Action after the filing of a request for continued examination under § 1.14.
- b. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.
- c. after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.

2. It is hereby certified:
 - that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
 - that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
 - reference is made to an English language translation submitted herewith, and/or
 - reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
 - reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
 - reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or
 - reference is made to the concise explanation set forth below:
5. Applicant also offers the following comments for the Examiner's consideration:
6. Also enclosed is a copy of a foreign search report citing these references.
7. The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Conley,
Rose & Tayon, P.C. Deposit Account No. 03-2769/5589-02305.

Respectfully submitted,



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Date: 3|28|03

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Form PTO-1449 (modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
 (Use several sheets if necessary)

ATTY. DKT. NO. 5589-02305

SERIAL NO. 09/957,468

APPLICANT: Levy et al.

GROUP: 2862

FILING DATE: September 20, 2001

U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	D1	4631416	12/1986	Trutna, Jr.			
	D2	5114235	5/1992	Suda et al.			
	D3	5182455	1/1993	Muraki			
	D4	5182610	1/1993	Shibata			
	D5	5189494	2/1993	Muraki			
	D6	5316984	5/1994	Leourx			
	D7	5327221	7/1994	Saitoh et al.			
	D8	5340992	8/1994	Matsugu et al.			
	D9	5414514	5/1995	Smith et al.			
	D10	5666196	9/1997	Ishii et al.			
	D11	5783342	7/1998	Yamashita et al.			
	D12	5801390	9/1998	Shiraishi			
	D13	6046094	4/2000	Jost et al.			
	D14	6077756	6/2000	Lin et al.			
	D15	6079256	6/2000	Bareket			
	D16	6128089	10/2000	Ausschnitt et al.			
	D17	6153886	11/2000	Hagiwara et al.			
	D18	6177330	1/2001	Yasuda			
	D19	6255189	7/2001	Muller et al.			
	D20	6301011	10/2001	Fung et al.			
	D21	6388253	5/2002	Su			
	D22	6421124	7/2002	Matsumoto et al.			
	D23	6462818	10/2002	Bareket			
	D24	6476920	11/2002	Scheiner et al.			
	D25	6486492	11/2002	Su			
	D26	6486954	11/2002	Mieher et al.			
	D27	2002/0018217	2/2002	Weber-Grabau et al.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

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